

Glenda Wiles**From:** McGrath, Mike (DOJ) [mmcgrath@mt.gov]**Sent:** Monday, May 21, 2007 3:30 PM

To: adlceo@in-tch.com; ahunthausen@co.lewis-clark.mt.us; arnie@3rivers.net; Commissioners; ringst@ttc-cmc.net; Wells, Candy; Broadwater Commissioners; chiefexec@bsb.mt.gov; commissioners@co.carbon.mt.us; cccomms@midrivers.com; commission@co.cascade.mt.us; Rowland, Sherry; m.wehri@co.custer.mt.us; Roberts, Ron; commish@midrivers.com; swenson@co.blaine.mt.gov; etinsley@co.lewis-clark.mt.us Commissioners; falloncc@midrivers.com; commissioners@co.fergus.mt.us; enelson@co.flathead.mt.us; commission@gallatin.mt.gov; gccomm@midrivers.com; ghaugland@co.beaverhead.mt.us; glaciercounty@yahoo.com; ringlerml@yahoo.com; commissioner@co.granite.mt.us; con@ttc-cmc.net; Commissioners; cattlqn@mtintouch.net; commissioners@jeffco.mt.gov; jdellwo@3rivers.net; Kelly, Amanda; Bessette, Kathy; commissioners@lakemt.gov; Commissioners; Liberty Co Commissioners; billb@libby.org; dplumage@co.blaine.mt.gov; Madison County Commissioners; mcconeco@midrivers.com; Commissioners; mmcginley@co.beaverhead.mt.us; andersonm@co.hill.mt.us; mmurray@co.lewis-clark.mt.us; wendlandm@co.hill.mt.us; commissioner@blackfoot.net; bcc@co.missoula.mt.us; mshlcocr@midrivers.com; commissioners@parkcounty.org; Solf, Lisa; Phillips County Commissioners; pococo@3rivers.net; Amende, Karen; krydeenmt@yahoo.com; Kimmet, Lisa; Glenda Wiles; rccomm@midrivers.com; Macdonald, Gary; rcc@rangeweb.net; samc@3rivers.net; sccommissioners@metnet.mt.gov; commiss@co.sheridan.mt.us; Stillwater Commissioners; sgcommish@cablemt.net; Commissioners; trice@co.beaverhead.mt.us; tccomm@3rivers.net; clerkrecorder@rangeweb.net; Valley Co. Commissioners; wccom@mtintouch.net; wibaux@midrivers.com; commission@co.yellowstone.mt.gov; DOJ MVD County Treasurers; ANACONDA/DEER LODGE; BEAVERHEAD; BIG HORN-Hogan; BLAINE-Ranstrom; BROADWATER; BUTTE/SILVER BOW; CARBON-Eddleman; rrharkin@midrivers.com; CASCADE ; ca19@mtintouch.net; W.Glade@co.custer.mt.us; danlsca@nemontel.net; nah@midrivers.com; rbatterman@midrivers.com; fcatty@co.fergus.mt.us; corrigan@co.flathead.mt.us; marty.lambert@gallatin.mt.gov; nmurnion@midrivers.com; larry.epstein@bresnan.net; cntyatt@midrivers.com; coattorney@co.granite.mt.us; petersonc@co.hill.mt.us; Mjohnson@jeffco.mt.gov; JUDITH BASIN ; LAKE-Young; lgallagher@co.lewis-clark.mt.us; hbblaw@ttc-cmc.net; lcatty@libby.org; MADISON; pattyinmt@hotmail.com; kflink@midrivers.com; linh@mcn.net; legalsec@blackfoot.net; fvanvalk@co.missoula.mt.us; attorney@parkcounty.org; caolaw@ttc-cmc.net; pocoaatty@3rivers.net; prcoattorney@rangeweb.net; POWELL; etinman@aol.com; George Corn; rcatty@richland.org; ROOSEVELT-Rusche (fhofman@rooseveltcounty.org); mbhayworth@yahoo.com; SANDERS; showard@nemontel.net; johnpetak@cablemt.net; sgcountyatty@mtintouch.net; joec@3rivers.net; Tooleca@3rivers.net; garyryder@hotmail.com; koster@co.valley.mt.us; wcaefta@midrivers.com; DPaxinos@co.yellowstone.mt.us

Cc: Culver, Skip; Dalton, Katherine; Aafedt, Mary Anne**Subject:** HB 12 County Attorney Salaries**To:**

County Attorneys

County Commissioners

County Treasurers

From:

Mike McGrath, Attorney General

5/21/2007

Montana Department of Justice

Re: New Legislation approved – HB12 County Attorney Compensation

On April 23, 2007, Governor Schweitzer signed HB12 into law, revising the way the state's share of county attorney salaries is calculated in Montana.

Effective July 1, 2007, the Department of Justice will make quarterly payments to the general fund of each of the 56 counties and consolidated governments in Montana. These payments represent the state of Montana's share of the salaries and benefits for county attorneys. The quarterly payments will be sent out to the counties in the first month of each quarter – July, October, January and April.

The distribution is based on the following formula: each county with a full-time county attorney receives from the state the amount of 50 percent of 85 percent of a district court judge's salary, plus benefits of 15.98 percent and 50 percent of the annual contribution for state employees' health insurance. If the county attorney is part time, the distribution is pro-rated based on the hours worked per pay period. (For a by-county breakdown of the annual amounts distributed, see the attached Excel table.)

Please note that the new formula is used only to calculate the state's share: it does not determine the actual compensation paid. The actual salary for each county attorney is determined by the county compensation board.

Under the new law, if a county wishes to change from a part-time to a full-time county attorney, the county commissioners must inform the Department of Justice of their desire to do so by July 1 of the year immediately preceding the regular legislative session (i.e. July 1 of even-numbered years). This change will then be included in the budget for the following biennium. A county can change from a part-time to a full-time county attorney at any time, but the additional state contribution for the position will only become available at the beginning of a new biennium. Because of this restriction, no counties presently with a part-time county attorney can receive funding for a full-time position until July 2009 (Fiscal Year 2010). Requests for funding changes in FY 2010 would need to be made by July 1, 2008.

If you have questions regarding the implementation of HB12, please contact Robert "Skip" Culver, administrator of the Justice Central Services Division, at 444-5842 or sculver@mt.gov.

Thank you.

**House Bill 12 - Annual Distribution to Counties
Health Insurance as Included in HB 13
Projected Costs Include 15.98% Benefits**

COUNTY	Hours pay period	State's Share	FY 2008 85% of DCJ Salary \$99,234	FY 2008 FICA 7.65% PERS 6.9% WC 1.43%	FY2008 Health Insurance \$6,882	FY2008 Total	FY 2009 85% of DCJ Salary \$99,234	FY 2009 FICA 7.65% PERS 6.9% WC 1.43%	FY 2009 Health Insurance \$7,296	FY 2009 Total
Beaverhead	40	50%	42,174	6,739	3,441	52,355	42,174	6,739	3,648	52,562
Big Horn	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Blaine	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Broadwater	20	25%	21,087	3,370	1,721	26,177	21,087	3,374	1,824	26,285
Carbon	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Carter	20	25%	21,087	3,370	1,721	26,177	21,087	3,374	1,824	26,285
Cascade	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Chouteau	24	30%	25,305	4,044	2,065	31,413	25,305	4,049	2,189	31,542
Custer	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Daniels	20	25%	21,087	3,370	1,721	26,177	21,087	3,374	1,824	26,285
Dawson	24	30%	25,305	4,044	2,065	31,413	25,305	4,049	2,189	31,542
Deer Lodge	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Fallon	30	38%	31,631	5,055	2,581	39,266	31,631	5,061	2,736	39,428
Fergus	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Flathead	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Gallatin	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Garfield	20	25%	21,087	3,370	1,721	26,177	21,087	3,374	1,824	26,285
Glacier	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Golden Valley	20	25%	21,087	3,370	1,721	26,177	21,087	3,374	1,824	26,285
Granite	20	25%	21,087	3,370	1,721	26,177	21,087	3,374	1,824	26,285
Hill	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Jefferson	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Judith Basin	20	25%	21,087	3,370	1,721	26,177	21,087	3,374	1,824	26,285
Lake	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Lewis & Clark	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Liberty	20	25%	21,087	3,370	1,721	26,177	21,087	3,374	1,824	26,285
Lincoln	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Madison	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
McCone	20	25%	21,087	3,370	1,721	26,177	21,087	3,374	1,824	26,285
Meagher	20	25%	21,087	3,370	1,721	26,177	21,087	3,374	1,824	26,285
Mineral	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Missoula	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Musselshell	20	25%	21,087	3,370	1,721	26,177	21,087	3,374	1,824	26,285
Park	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Petroleum	8	10%	8,435	1,348	688	10,471	8,435	1,350	730	10,514
Phillips	24	30%	25,305	4,044	2,065	31,413	25,305	4,049	2,189	31,542
Pondera	20	25%	21,087	3,370	1,721	26,177	21,087	3,374	1,824	26,285
Powder River	20	25%	21,087	3,370	1,721	26,177	21,087	3,374	1,824	26,285
Powell	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Prairie	20	25%	21,087	3,370	1,721	26,177	21,087	3,374	1,824	26,285
Ravalli	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Richland	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Roosevelt	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Rosebud	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Sanders	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Sheridan	24	30%	25,305	4,044	2,065	31,413	25,305	4,049	2,189	31,542
SilverBow	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Stillwater	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Sweet Grass	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Teton	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Toole	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Treasure	20	25%	21,087	3,370	1,721	26,177	21,087	3,374	1,824	26,285
Valley	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
Wheatland	20	25%	21,087	3,370	1,721	26,177	21,087	3,374	1,824	26,285
Wibaux	20	25%	21,087	3,370	1,721	26,177	21,087	3,374	1,824	26,285
Yellowstone	40	50%	42,174	6,739	3,441	52,355	42,174	6,748	3,648	52,570
TOTAL			1,990,758	302,266	161,211	2,348,118	1,990,758	302,635	170,909	2,357,772

May 21, 2007
MEMORANDUM

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County Treasurers

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Montana Department of Justice

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